THE HON'BLE MR JUSTICE P.S.NARAYANA

WRIT PETITION No.13001 of 2006

Date 27-06-2006

Between:
P.Suryanarayana & others.

..... PETITIONERS

AND

The Municipal Commissioner & others.

.....RESPONDENTS

THE HON'BLE MR JUSTICE P.S.NARAYANA

WRIT PETITION No.13001 of 2006

ORDER:

The Writ Petition is filed praying for issuance of a writ, order or direction more particularly one in the nature of writ of Mandamus declaring the action of the respondents herein in proposing to demolish the buildings of the petitioners bearing Door Nos.7-3-4C, 7-3-8B, 5-2-99/3, 7-3-36, 7-3-45/A, 14-1-3, 5-2-72, 5-2-73, 7-3-46, 14-1-2, 7-3-12, 14-1-1, 5-2-118, 7-3-41, 7-3-29, 1-5-2, 7-3-10B, 7-3-126, 5-2-68, 5-2-66, 5-2-67, 5-2-100A, 5-2-84, 7-3-10, 6-1-18, 7-3-12A, 5-2-116A, 5-2-116/A/1, 5-2-116, 7-3-31B, 6-1-19, 6-1-21, 7-3-31, 7-3-51, 3-2-85 & 86, 7-3-2 & 3, 7-3-3, 6-2-6, 7-3-43/A, 7-3-30, 7-3-50B, 14-1-10,14-1-8/1, 7-2-44B, 7-2-44A & 45, 14-1-47/A, 6-1-236, 6-1-23A, 5-1-64, 8-2-63/A, 8-2-63, 10-1-2, 10-1-3, 10-1-4 and 7-3-43 respectively situated on both sides of the main road, Pitapuram, East Godavari District for widening the main road without paying any compensation nor initiating any due process of law as illegal, arbitrary, unjust and violative of Article 14, 19, 21 and 300-A of Constitution of India besides being violative of principles of natural justice and consequently direct the respondent herein not to demolish the said buildings of the petitioners and pass such other orders.

It is stated that the respondents started marking the portions on 13-06-2006 and completed the same on 20-06-2006. It is also stated in the affidavit filed in support of the writ petition that without following due process of law, respondents are contemplating to carry out the demolition activity. It is needless to say that the respondents are bound to follow the due process of

law before taking up demolition activity.

Accordingly, the Writ Petition is disposed of directing the respondents not to carry on with any demolition activity without following due process of law. No order as to costs.

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27-06-2006

Note:CC today
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